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Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

Della Kamkoff, John Andrew, Kayla
Birch, Rose Carney, Tereresa Ferguson,
Zoya Jenkins, Troy Fender, Rhonda
Conover, Autumn Ellanna, and Natalia
Moroz, on behalf of themselves, and all
those similarly situated,

Plaintiffs,

v.

Heidi Hedberg, in her official capacity as
Commissioner of the Alaska Department of
Health,

Defendant.

Case No.: 3:23-cv-00044-SLG

STIPULATION

Counsel for plaintiffs and counsel for defendant met telephonically on February 22nd and February 23rd and have agreed to stay this case until May 1, 2023. The State of Alaska Department of Health (“DOH”) is very aware of, and is making immediate and significant efforts to address, the SNAP benefits backlog.¹ These include hiring additional positions, bringing on contractors, and seeking waivers from the USDA, Food and Nutrition Service (“FNS”). DOH is also actively working with FNS to develop a Corrective Action Plan to address the SNAP benefits backlog. The Office of the Governor has also requested supplemental appropriations from the legislature for DOH to help address the SNAP benefits backlog.² In light of DOH’s demonstrated commitment to resolving the SNAP benefits backlog, the parties agree to stay this litigation until May 1, 2023 to allow time for implementation and continuation of DOH’s efforts to reduce the SNAP benefits backlog. Counsel for plaintiffs and defendant agreed to meet no fewer than three times during the stay period to discuss the status of DOH’s efforts to address the SNAP benefits backlog. Plaintiffs believe that these meetings with the DOH, along with the DOH’s continued commitment to make immediate changes to address the backlog, will be the most efficient and quickest path to achieving full relief for class members. Accordingly, Plaintiffs agree to this stay only as a means to secure immediate relief, and the stay does

¹ See, e.g., https://www.akleg.gov/basis/Meeting/Detail?Meeting=SHSS%202023-01-24%2015:30:00#tab4_4; https://www.akleg.gov/basis/Meeting/Detail?Meeting=HHSS%202023-02-02%2015:00:00#tab2_4.

² <https://omb.alaska.gov/fy2023-supplemental-budget/>.

not in any way indicate that class members are not suffering ongoing harm from the SNAP benefits backlog or that the backlog does not require immediate attention.

In the event that the stay expires without further stipulation by the parties, the defendant's Answer to the Complaint will be due on May 10, 2023. The plaintiffs previously filed a Motion for Preliminary Injunction and Motion for Class Certification in state court. The defendant's opposition to those motions will be due on the later date of: May 10, 2023, or ten days after the plaintiffs file any supplemental briefing on the motions now pending before the Court. The defendant agrees not to raise the plaintiffs' agreement to this stay as a defense to the motion for a preliminary injunction.

DATED March 1, 2023.

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For plaintiffs

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CERTIFICATE OF SERVICE

I certify that on March 1, 2023 the
foregoing STIPULATION TO STAY
was served VIA EMAIL on:

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